

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Victor Joe Potter,

Case No.: 2:19-cv-01875-JAD-VCF

Petitioner

Brian Williams,

Respondent

Order Screening Amended Petition and Directing Service on the Respondents

This is a federal habeas proceeding in which petitioner challenges his Nevada state
conviction for theft of scrap metal. In a previous order, the court screened petitioner's initial
habeas petition under Rule 4 of the Rules Governing Habeas Corpus Cases Under Section
2241. Finding that the petition was plagued with problems, the court directed petitioner to file
an amended habeas petition to correct the defects.² Petitioner complied with that order by filing
an amended petition on January 8, 2020.³ The court now finds that the amended petition meets
all of the procedural and substantive requirements of the federal habeas corpus statute and the
state's corresponding rules of habeas corpus, and accordingly grants the petition.

IT IS THEREFORE ORDERED that the Clerk of Court is directed to:

- **FILE and ELECTRONICALLY SERVE** the amended petition (ECF No. 8) on the respondents; and
- **ADD** Aaron D. Ford, Nevada Attorney General, as counsel for respondents.

IT IS FURTHER ORDERED that respondents must answer or otherwise respond to the petition by April 20, 2020. Petitioner will have 60 days from service of the answer to

¹ ECF No. 5.

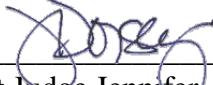
23 | ² Id.

³ ECF No. 8.

1 file and serve his reply (if respondents answer) or a response to a motion to dismiss (if they
2 file a motion to dismiss instead of an answer). If respondents file a motion to dismiss,
3 respondents will have 30 days after service of petitioner's response to the motion to dismiss to
4 file a reply.

5 IT IS FURTHER ORDERED that any additional state-court record exhibits filed in this
6 case by either party must be filed with a separate index of exhibits identifying the exhibits by
7 number. The CM/ECF attachments that are filed must be identified by the number or numbers of
8 the exhibits in the attachment. The hard copy of any additional state-court record exhibits for
9 this case must be forwarded to the staff attorneys in **Reno**.

10 Dated: February 18, 2020

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12 U.S. District Judge Jennifer A. Dorsey
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